UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/867,791	05/29/2001	David Boreham	13220.021001;PS5834	7719

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EXAMINER
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ART UNIT	PAPER NUMBER
2167	

DATE MAILED: 02/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *10 December 2004*.

2a) ☐ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-3 and 5-30* is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-3,5-30* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a) ☐ All   b) ☐ Some * c) ☐ None of:

　　　　1. ☐ Certified copies of the priority documents have been received.

　　　　2. ☐ Certified copies of the priority documents have been received in Application No. _____.

　　　　3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
　　　　　　application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
　　Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Response to Amendments

1. The Action is responsive to the Applicant's Amendments, filed on December 10,

2004.

2. Applicant's amendment to claim 19 for correcting informality is acknowledged.

Consequently, objection to the claim is withdrawn.

3. In responding to Applicant's Amendments made to the claims, the Examiner has

created this Office Action for non-Final Rejection as shown next.

4. The declaration filed on October 4, 2004 under 37 CFR 1.131 has been considered

but is ineffective to overcome the iPlanet reference. Please see discussion in the

section ***Response to Arguments***, following the Office Action for non-Final Rejection.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the
subject matter which the applicant regards as his invention.

6. Claim 9 recites the "The method as in claim 4". There is insufficient antecedent

basis for this limitation in the claim because claim 4 has been cancelled. The Examiner

interprets claim 9 as a dependent claim of claim 9 in the Office Action for Non-Final

rejection.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form

the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this
or a foreign country, before the invention thereof by the applicant for a patent.

8. Claims 1-3 and 5-30 are rejected under 35 U.S.C. 102(a) as anticipated by iPlanet

(iPlanet Directory Server Administrator's Guide, Version 5.0, April 2001, Sun

Microsystems, Inc., hereafter "iPlanet").

As per claims 1 and 16, iPlanet teaches the following:

"associating a plurality of entries with a directory server that is accessed by an

application, wherein the plurality of entries comprises a first entry and a second entry"

(See Pages 39-40 wherein iPlanet's **Directory Server Console providing predefined**

templates for creating entries, including a first and a second entries, is equivalent to the

Applicant's associating a plurality of entries with a directory server that is accessed by

an application);

"associating an at least one attribute with the first and entry and the second entry" (See

Page 41 wherein iPlanet's **Modifying Directory Entries can Add an attribute to an entry** is

equivalent to Applicant's associating attributes to entries);

"generating a value for at least one attribute of the first entry, wherein the at least one

attribute may be shared with other entries in a manner transparent to an application"

and "generating a value based on a class of service logic, wherein the value

corresponds to information associated with a user of the application" (See Pages 171-

172, Para. "Creating a New CoS", steps 1 through 8, wherein iPlanet's **sharing (adding**

through listing) attributes at step 5 and overriding target entry attribute at step 6 for

making it transparent to application is equivalent to Applicant's generating value of

attributes of the entry and sharing attributes); and

"associating the value with the at least one attribute, wherein the value is shared by the

first entry and the second entry in a manner that is transparent to the application" (See

Page 41 wherein iPlanet's **Modifying Directory Entries can Add a same attribute value to**

an entry is equivalent to Applicant's associating shared attribute values to entries);

As per claims 2 and 17, iPlanet teaches "generating the value of the at least one

attribute at a time the entry is transmitted to an application" (See Page 172, step 7

wherein iPlanet's **overriding target entry attribute and being operational, so that it is not**

visible to the client applications unless explicitly requested is equivalent to Applicant's

generating value of attribute when the entry is transmitted).

As per claims 3 and 18, iPlanet teaches "generating the value of the at least one

attribute immediately prior to the time the entry is transmitted to an application" (See

Page 172, step 6 wherein iPlanet's **overriding target entry attribute and being**

operational, so that it is not visible to the client applications unless explicitly requested

is equivalent to Applicant's generating value of attribute prior to the entry's transmittal).

As per claims 5 and 20, iPlanet teaches the following:

"defining a class of service (CoS) service attribute, wherein the CoS attribute includes a

CoS definition entry and template entry" (See Pages 39-40 wherein iPlanet's **Directory**

Server Console providing predefined templates for creating entries and attributes, including a first and a second entries, is equivalent to the Applicant's defining CoS service attributes, including definition and template entries);

"associating the CoS attribute with a target entry that lies within a CoS scope of the CoS Definition entry and the Template entry" (See See Page 41 wherein iPlanet's **Modifying Directory Entries can Add a same attribute value to an entry** is equivalent to Applicant's associating shared attribute values to entries); and

"providing an attribute value for the target entry based on CoS Definition entry and the Template entry" (See Page 44 wherein iPlanet's **adding value to a multiple attribute values attribute** is equivalent to Applicant's providing an attribute value to the entries).

As per claim 6 and 21, iPlanet teaches "the CoS Definition entry is stored as an LDAP subentry below the branch at which it is effective" (See Page 176, Table 5-3 wherein iPlanet's **showing LDAPSubEntry as superior class for Pointer, Indirect and Classic CoS** is equivalent to Applicant's CoS storing as a subentry).

As per claims 7 ans 22, iPlanet teaches "the CoS Definition entry identifies a CoS type being used" (See Page 176, Table 5-3, wherein iPlanet's CoS Definitions **CoS type "Indirect CoS"** is equivalent to Applicant's CoS definition of CoS type).

As per claims 8 and 23, iPlanet teaches "the Template entry contains a list of attribute values that are shared" at Page 170 Diagram wherein iPlanet's **values of attributes**

departmentNumber and manager are shared between entries is equivalent to Applicant's

shared list of attribute values of the template entry).

As per claims 9 and 24, iPlanet teaches "the CoS scope is defined by the DN of the

CoS Definition entry" (See Page 173, lines 2-3 wherein iPlanet's **showing one of the**

target entry's attributes, a classic CoS is equivalent to Applicant's defining the CoS

scope).

As per claim 10 and 25, iPlanet teaches "the presence or absence of the target

entry's CoS specifier determines whether the target entry may receive a CoS value" at

Page 170 Diagram wherein iPlanet's **the target entry receives CoS values for attributes**

of CoS definition entry and using a combination of the template DN and a CoS specifier

to identify the template entry is equivalent to Applicant's CoS presence for deciding

target entry to receive a CoS value).

As per claims 11 and 26, iPlanet teaches "an attribute value stored in a CoS

Template determines what value a target entry may receive as a CoS value" at Page

170 Diagram wherein iPlanet's **the target entry receives CoS values for attributes of CoS**

definition entry is equivalent to Applicant's CoS presence for deciding target entry to

receive a CoS value).

As per claims 12 and 27, iPlanet teaches "changing an attribute value in the Template entry" at Page 173, Section "Editing an Existing CoS" wherein iPlanet's teaches the Applicant's claim language above).

As per claims 13 and 28, iPlanet teaches "automatically applying the changed attribute value to all entries that share the attribute" Page 173, step 6, Section "Editing an Existing CoS" wherein iPlanet's **editing an existing CoS** is equivalent to Applicant's applying changed attribute value to entry).

As per claims 14 and 29, iPlanet teaches "the changed attribute values are applied to an entry that shares the attribute at the time the entry is transmitted to an application" at at Page 172, step 7 wherein iPlanet's **overriding target entry attribute and being operational** is equivalent to Applicant's applying changed values to a transmitted shared entry).

As per claims 15 and 30, iPlanet teaches "the changed attribute values are applied to an entry that shares the attribute immediately prior to the time the entry is transmitted to an application" at Page 172, step 6 wherein iPlanet's **overriding target entry attribute and being operational, so that it is not visible to the client applications unless explicitly requested** is equivalent to Applicant's applying changed values to shared entry prior to its transmittal).

As per claim 19, iPlanet teaches "sixth component configured to generate the value based on a class of service logic, wherein the value provides information associated with a user of the application" (See Pages 171-173, Para. "Creating a New CoS", steps 1 through 8, wherein iPlanet's **using Directory Server Console to create entry and its attributes** is equivalent to Applicant's using CoS to generate attribute).

Response to Arguments

9. The declaration filed on October 4, 2004 under 37 CFR 1.131 has been considered but is ineffective to overcome the iPlanet reference.

The evidence submitted by applicants merely consists of a single sheet with everything blacked out except a date, a title and the names of the applicants.

Conception is the mental part of the inventive act but it must be capable of proof, as by drawings, complete disclosure to another person, etc. In Mergenthaler v. Scudder, 1897 C.D. 724, 81 O.G. 1417 (D.C. Cir. 1897), it was established that conception .is more than a mere vague idea of how to solve a problem', the means themselves and their interaction must be comprehended also. MPEP 715.07.

With regard to diligence, where conception occurs prior to the date of the reference but reduction to practice is afterward, it is not enough merely to allege that applicant has been diligent. Ex parte Hunter, 1889 C.D. 218, 49 O.G. 733 (Comm'r Pat. 1889). Rather, applicant must show evidence of facts establishing diligence For all the reasons discussed above, applicant's declaration of "the present invention was conceived prior to the effective 102 (a) date of iPlanet and subsequently constructively reduced to practice with due diligence exercised by the inventors" is not considered satisfactory

evidence. Consequently, in this Office Action for Non-Final Rejection the 35 U.S.C. ξ

102 rejection to claims 1-3 and 5-30 is maintained on the same grounds as set forth in

the Office Action for Final Rejection, dated July 22, 2004 using iPlanet of record.

10. In light of the forgoing arguments, the U.S.C 102 rejection for Claims 1-3 and 5-30

is hereby sustained.

Conclusions

11. The prior art made of record

U. iPlanet Directory Server Administrator's Guide, Version 5.0, Sun Microsystems,

Inc., Doc. ID 816-0799-01, April, 2001.

The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

A. U.S. Patent Publication 2003/0191763

12. Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Kuen S Lu whose telephone number 571-272-4114.
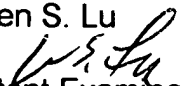
The examiner can normally be reached on 8 AM to 5 PM, Monday through Friday.

If at tempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Breene can be reached on 571-272-4107. The fax phone number for the

organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is 571-272-2100.

Kuen S. Lu

Patent Examiner

February 9, 2005

Luke Wassum

Primary Examiner

February 9, 2005